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# 17

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:  
Maho SHOJI, et al.

**RECEIVED**

SEP 03 2009

Appl. No.: 09/655,767

: Art Unit: 3637

**OFFICE OF PETITIONS**

Filed: September 5, 2000

: Examiner: CHEN, Jose V.

For: XY STAGE

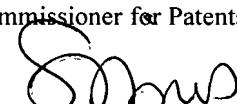
: Atty Docket: FUM-03001

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**Certificate of Mailing**

I hereby certify that the foregoing documents are being deposited with the United States Postal Service as first class mail, in an envelope addressed to the Mail Stop Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this date of August 28, 2009.

  
\_\_\_\_\_  
Sandra Pires

**PETITION TO WITHDRAW HOLDING OF ABANDONMENT UNDER 37 CFR §1.181**

Mail Stop Petitions  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This petition is being submitted in response to the Notice of Abandonment dated February 3, 2003 indicating abandonment of the present above-referenced application. Applicants petition for the withdrawal of the holding of abandonment for the reasons set forth herein. In summary, for unknown reasons, the USPTO incorrectly recorded a change of address for this application on September 15, 2002 resulting in the sending of a Notice of Allowance and the Notice of Abandonment for this application to a law firm unassociated with this application. Applicants request that a new Notice of Allowance and PTOL-85 be issued to the current attorneys of record for this application at the current correspondence address of record (Customer Number 54004). The facts and circumstances of the USPTO's error are detailed as follows.

The undersigned recently conducted a status check of the present application using USPTO's PAIR database. Attached hereto as Exhibit 1 is a copy of the PAIR Transaction History for the present application. The PAIR Transaction History indicates entries on September 15, 2002, of two instances of recording a "Correspondence Address Change". Subsequently on September 18, 2002, a Notice of Allowance was issued and on February 3, 2003, a Notice of Abandonment was issued.

Following the review of the PAIR Transaction History, the undersigned attorney of record for this application commissioned a third party to obtain and scan a copy of the paper File Wrapper from USPTO records for this application since the image file wrapper (IFW) is incomplete and largely unavailable for this application. Attached herewith as Exhibit 2 is copy of a portion of the USPTO File Wrapper of this application containing the following documents:

- the Amendment and Response filed by the undersigned attorney for the present application on August 22, 2002 (and stamped received by the USPTO on August 27, 2002);
- the two Correspondence Address Change documents (filed by some other attorney for two completely different cases, as noted below) that are stamped received by the USPTO on August 27, 2002;
- the Notice of Allowance dated September 18, 2002; and
- the Notice of Abandonment dated February 3, 2003.

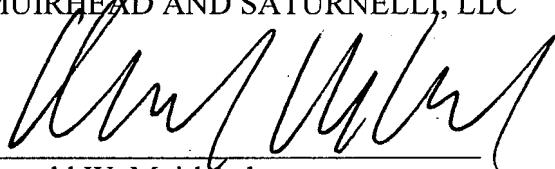
The two Correspondence Address Change documents indicate address changes for two applications (10/178,332 and 09/834,986) to the address associated with Customer Number 22914 (Brinkley, McNerney, Morgan, Solomon, Tatum, LLP in Ft. Lauderdale, FL). Inexplicably, the USPTO recorded both of these Correspondence Address Change documents to the present application (09/655,767), thereby incorrectly changing the Correspondence Address for the present application to an address for the law firm Brinkley, NcNerney, Morgan, Solomon, Tatum, LLP in Ft. Lauderdale, FL. Both the Notice of Allowance and the Notice of Abandonment were sent to this incorrect correspondence address. (See Exhibit 2).

Clearly, the correspondence address for the present application should NOT have been changed by the Correspondence Address Change documents noted above, since those documents did not reference the present application nor did the attorney signing those documents have any authority to change the correspondence address for the present application. This USPTO error resulted in neither the Notice of Allowance nor Notice of Abandonment documents being sent to or received at the correct correspondence address for the present application. Accordingly, the undersigned attorney petitions for the withdrawal of the holding of abandonment of the present application and the immediate issuance of a new Notice of Allowance and PTOL-85 to be sent to the current attorneys of record at the current correspondence address (the attorneys and address associated with **Customer Number 54004**).

Customer Number 54004  
Muirhead and Saturnelli, LLC  
200 Friberg Parkway, Suite 1001  
Westborough, MA 01581

Although we believe that we do not believe that any fees are due in connection with this submission, Commissioner is authorized to credit any overpayment or charge any deficiencies in connection with this petition to/from our **Deposit Account No. 503596**. Should there be any questions after reviewing this paper, the petition reviewer is invited to contact the undersigned at (508) 898-8603.

Respectfully submitted,  
MUIRHEAD AND SATURNELLI, LLC

  
Donald W. Muirhead  
Reg. No. 33,978

Date: August 28, 2009

Muirhead and Saturnelli, LLC  
200 Friberg Parkway, Suite 1001  
Westborough, MA 01581  
T: (508) 898-9601  
F: (508) 898-8602

EXHIBIT 1  
PAIR Transaction History  
For US 09/655,767

Page 1 of 1

09/655,767 XY STAGE

08-28-  
2009::13:04:33

**Transaction History**

<b>Date</b>	<b>Transaction Description</b>
08-01-2007	Correspondence Address Change
05-29-2007	Information Disclosure Statement (IDS) Filed
05-06-2003	Information Disclosure Statement (IDS) Filed
05-06-2003	Information Disclosure Statement (IDS) Filed
02-03-2003	Mail Abandonment for Failure to Pay Issue Fee
02-03-2003	Abandonment for Failure to Pay Issue Fee
09-05-2000	Workflow - Drawings Finished
09-05-2000	Workflow - Drawings Matched with File at Contractor
10-16-2002	Receipt into Pubs
09-19-2002	Workflow - File Sent to Contractor
09-19-2002	Receipt into Pubs
09-19-2002	Dispatch to Publications
09-18-2002	Mail Notice of Allowance
09-17-2002	Notice of Allowance Data Verification Completed
09-15-2002	Correspondence Address Change
09-15-2002	Correspondence Address Change
05-23-2002	Mail Non-Final Rejection
05-20-2002	Non-Final Rejection
03-26-2002	Case Docketed to Examiner in GAU
03-26-2002	Case Docketed to Examiner in GAU
03-18-2002	Date Forwarded to Examiner
03-11-2002	Response to Election / Restriction Filed
01-17-2002	Information Disclosure Statement (IDS) Filed
01-17-2002	Information Disclosure Statement (IDS) Filed
02-06-2002	Mail Restriction Requirement
02-06-2002	Requirement for Restriction / Election
05-19-2001	Case Docketed to Examiner in GAU
09-05-2000	Request for Foreign Priority (Priority Papers May Be Included)
09-05-2000	Information Disclosure Statement (IDS) Filed
09-05-2000	Information Disclosure Statement (IDS) Filed
04-07-2001	Case Docketed to Examiner in GAU
10-24-2000	Application Dispatched from OIPE
10-19-2000	Correspondence Address Change
09-25-2000	IFW Scan & PACR Auto Security Review
09-05-2000	Initial Exam Team nn

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EXHIBIT 2  
Portion of USPTO  
File Wrapper for US 09/655,767

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PATENT

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88  
9/12/02



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:  
Maho SHOJI et al.

Appl. No.: 09/655,767

Filed: September 5, 2000

For: XY STAGE

COPY OF PAPERS  
ORIGINALLY FILED

: Art Unit: 3637

: Examiner: Chen, Jose V.

: Atty Docket: FUM-03001

CERTIFICATE OF MAILING

I hereby certify that the foregoing document is being deposited with the United States Postal Service as first class mail, postage prepaid, "Post Office to Addressee", in an envelope addressed to: Commissioner of Patents, Washington, DC 20231 on August 16, 2002.

  
Gabriella Fercu

AMENDMENT AND RESPONSE

Commissioner for Patents  
Washington, D.C. 20231

Sir:

This paper is being provided in response to the Office Action dated May 23, 2002, for the above-captioned U.S. patent application.

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GROUP 3600

It is not believed that extensions of time or fees for net addition of claims are required, beyond those which may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary, then such extensions of time are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required for consideration of this paper (including fees for net addition of claims) are authorized to be charged in two originally-executed copies of an Amendment Transmittal Letter filed herewith. A clean copy of claims amendments is enclosed.

Kindly enter the following amendments:

**IN THE CLAIMS:**

Please amend claims 1, 13 and 14 as follows:

1. (Once Amended) An XY stage, comprising:

a base;

a movable table disposed on said base so as to be movable in an X direction and a Y direction in an X-Y plane;  
a work member provided on said movable table;  
a first linear motor, coupled to said moveable table and said base, which gives a driving force in the X direction to said movable table at the same height as the center of gravity of a movable section composed of said movable table and said work member; and

a second linear motor, coupled to said moveable table and said base, which gives a driving force in the Y direction to said movable table at the same height as the center of gravity of said movable section.

13. (Once Amended) The XY stage according to claim 1, further comprising:

a first position detector coupled to one of: said moveable table and said base and disposed on a straight line extending in the X direction and passing through the center of gravity as viewed in a plan view, said first position detector detecting a movement amount of said movable section in the X direction; and

a second position detector coupled to one of: said moveable table and said base and disposed on a straight line extending in the Y direction and passing through the center of gravity as viewed in a plan view, said second position detector detecting a movement amount of said movable section in the Y direction.

14. (Once Amended) The XY stage according to claim 1, further comprising a

position detector coupled to one of: said moveable table and said base and disposed at the position of the center of gravity as viewed in a plan view, said position detector detecting movement amounts of said movable section in the X direction.

#### REMARKS

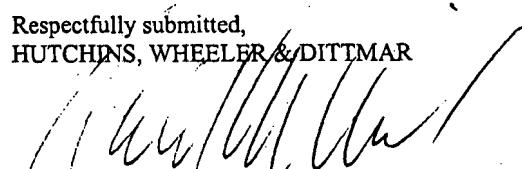
This paper is being provided in response to the May 23, 2002 Office Action for the above-referenced application. In this response, applicant has amended claims 1, 13 and 14 in order to address the formalities set forth in the Office regarding clarifying the claimed invention. Applicant respectfully submits that the modifications to the claims are all supported by the originally filed application.

Applicants thank the Examiner for the indication of allowable subject matter with regard to the claims. Applicants have amended the claims in accordance with the guidance provided in the Office Action to address the rejection under 35 U.S.C. §112, second paragraph. Accordingly, Applicants respectfully request that this rejection be withdrawn.

In addition, Applicants note that the previous Election of Species requirement indicated that Claim 1 was generic to all of the species set forth therein. Applicants respectfully submit that Claim 1 as amended herein is still generic to all the species and that all of claims 2-23 depend, directly or indirectly, from Claim 1. Accordingly, Applicants respectfully request that no claims be withdrawn and that all of claims 1-23 be allowed.

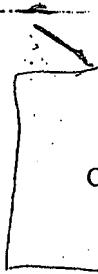
Based on the above, applicant respectfully requests that the Examiner reconsider and withdraw all outstanding rejections and objections. Favorable consideration and allowance are earnestly solicited. Should there be any questions after reviewing this paper, the Examiner is invited to contact the undersigned at 617-951-6676.

Respectfully submitted,  
HUTCHINS, WHEELER & DITTMAR

  
Donald W. Muirhead  
Registration No. 33,978

Date: August 16, 2002

Patent Group  
Hutchins, Wheeler & Dittmar  
101 Federal Street  
Boston, MA 02110



Clean copy of claims amended herein.

a)

1. (Once Amended) An XY stage, comprising:

a base;

a movable table disposed on said base so as to be movable in an X direction and a Y direction in an X-Y plane;

a work member provided on said movable table;

a first linear motor, coupled to said moveable table and said base, which gives a driving force in the X direction to said movable table at the same height as the center of gravity of a movable section composed of said movable table and said work member; and

a second linear motor, coupled to said moveable table and said base, which gives a driving force in the Y direction to said movable table at the same height as the center of gravity of said movable section.

*a2* 15. (Once Amended) The XY stage according to claim 1, further comprising:

a first position detector coupled to one of: said moveable table and said base and disposed on a straight line extending in the x direction and passing through the center of gravity as viewed in a plan view, said first position detector detecting a movement amount of said movable section in the X direction; and a second position detector coupled to one of: said moveable table and said base and disposed on a straight line extending in the Y direction and passing through the center of gravity as viewed in a plan view, said second position detector detecting a movement amount of said movable section in the Y direction.

19. (Once Amended) The XY stage according to claim 1, further comprising a

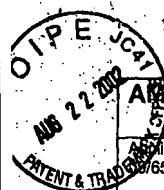
position detector coupled to one of: said moveable table and said base and disposed at the position of the center of gravity as viewed in a plan view, said position detector detecting movement amounts of said movable section in the X direction.

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3637



AMENDMENT TRANSMITTAL LETTER

Docket Number  
FUM-03001

Application Number  
10/655,767

Filing Date  
September 5, 2000

Examiner  
Chen, Jose V.

Group Art Unit  
3637

Invention Title  
XY STAGE

COPY OF PAPERS  
ORIGINALLY FILED

TO THE COMMISSIONER FOR PATENTS

Transmitted herewith is an amendment in the above-identified application, including:

Amendment and Response;  
 Return Receipt Postcard.

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GROUP 3600

CLAIMS AS AMENDED

	(1)	(2)	(3)			
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT NUMBER EXTRA	RATE	Fee
TOTAL CLAIMS	23	Minus	23	0	x \$18	\$ 0
INDEPENDENT CLAIMS	1	Minus	3	0	x \$84	\$ 0
MULTIPLE DEPENDENT CLAIM ADDED					\$280	
					TOTAL	\$ 0
If applicant has small entity status under 37 CFR 1.9 and 1.27, then divide total fee by 2, and enter amount here.				SMALL ENTITY TOTAL	\$	

\* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.

\*\* If the highest number previously paid for IN THIS SPACE is less than 20, enter "20".

\*\*\* If the highest number previously paid for IN THIS SPACE is less than 3, enter "3".

The "highest number previously paid for" (total or independent) is the highest number found in the appropriate box in column 1.

Please charge Deposit Account Number 501136 in the amount of \$ \_\_\_\_\_. A duplicate copy of this sheet is enclosed.

A check in the amount of \$ \_\_\_\_ to cover the filing fee is enclosed.

Please credit any overpayment and/or charge any additional filing fees required under 37 CFR §§ 1.16 and 1.17 to our Deposit Account Number 501136.

Donald W. Muirhead, Reg. No. 33,978

August 16, 2002  
Date

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231, on August 16, 2002.  
Gabriella Fercu

(10-95)

Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

HWD2 1023724v1

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OFFICE OF PETITIONS

U.S. PATENT & TRADEMARK OFFICE  
AUG 22 2002  
AMENDMENT TRANSMITTAL LETTER

AMENDMENT TRANSMITTAL LETTER

Docket Number  
FUM-03001

Application Number  
10/655,767

Filing Date  
September 5, 2000

Examiner  
Chen, Jose V.

Group Art Unit  
3637

Invention Title  
XY STAGE

COPY OF PAPERS  
ORIGINALLY FILED

TO THE COMMISSIONER FOR PATENTS

Transmitted herewith is an amendment in the above-identified application, including:

Amendment and Response;  
 Return Receipt Postcard.

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GROUP 3600

CLAIMS AS AMENDED

	(1) CLAIMS REMAINING AFTER AMENDMENT	(2) HIGHEST NUMBER PREVIOUSLY PAID FOR	(3) PRESENT NUMBER EXTRA	RATE	Fee
TOTAL CLAIMS	23	Minus	23	0	x \$18 \$ 0
INDEPENDENT CLAIMS	1	Minus	3	0	x \$84 \$ 0
MULTIPLE DEPENDENT CLAIM ADDED				\$280	
				TOTAL	\$ 0

If applicant has small entity status under 37 CFR 1.9 and  
1.27, then divide total fee by 2, and enter amount here.

SMALL ENTITY TOTAL \$

\* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.  
\*\* If the highest number previously paid for IN THIS SPACE is less than 20, enter "20."  
\*\*\* If the highest number previously paid for IN THIS SPACE is less than 3, enter "3."

The "highest number previously paid for" (total or independent) is the highest number found in the appropriate box in column 1.

Please charge Deposit Account Number 501136 in the amount of \$ \_\_\_\_\_. A  
duplicate copy of this sheet is enclosed.  
 A check in the amount of \$ 0 to cover the filing fee is enclosed.  
 Please credit any overpayment and/or charge any additional filing fees required under  
37 CFR §§ 1.16 and 1.17 to our Deposit Account Number 501136.

  
Donald W. Muirhead, Reg. No. 33,978

August 16, 2002  
Date

I hereby certify that this  
correspondence is being  
deposited with the United  
States Postal Service as first  
class mail in an envelope  
addressed to: Commissioner  
for Patents, Washington, D.C.  
20231, on August 16, 2002.

  
Gabriella Fercu

(10-95)

Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Please type a plus sign (+) inside this box → +

PTO/SB/122 (11-98)

Approved for use through 6/30/99. OMB 0651-0035

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE



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**CHANGE OF  
CORRESPONDENCE ADDRESS**  
*Application*

Address to:  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Application Number	10/178,332
Filing Date	6/21/02
First Named Inventor	OSCAR HELPER
Group Art Unit	3037
Examiner Name	
Attorney Docket Number	7367-01731

363  
H10  
88  
9/12/02

Please change the Correspondence Address for the above-identified application to:

Customer Number

Type Customer Number here



OR

<input type="checkbox"/> Firm or Individual Name	Kevin P. Crosby, Esq.				
Address	BRINKLEY, McNERNEY, MORGAN, SOLOMON & TATUM, LLP				
Address	200 E. Las Olas Blvd., Suite 1900				
City	Ft. Lauderdale	State	FL	ZIP	33301
Country	U.S.A.				
Telephone	(954) 522-2200	Fax	(954) 522-9123		

This form cannot be used to change the data associated with a Customer Number. To change the data associated with an existing Customer Number use "Request for Customer Number Data Change" (PTO/SB/124).

I am the:

Applicant.

Assignee of record of the entire interest.  
Certificate under 37 CFR 3.73(b) is enclosed.

Attorney or agent of record.

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AUG 27 2002

GROUP 3500

Typed or  
Printed Name

Kevin P. Crosby, Esq.

Signature

*KEC*

Date

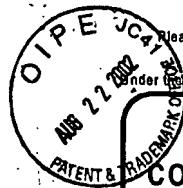
8/15/02

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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OFFICE OF PETITIONS



Please type a plus sign (+) inside this box. →

Approved for use through 6/30/99. OMB 0651-0035  
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

CHANGE OF  
CORRESPONDENCE ADDRESS  
*Application*

Address to:  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Application Number **09/834,986** COPY OF PAPERS  
Filing Date **4/21/01** ORIGINALLY FILED  
First Named Inventor **Daron Kiss**  
Group Art Unit **3617**  
Examiner Name **AJAY VASUDEV**  
Attorney Docket Number **7395-01149**

Please change the Correspondence Address for the above-identified application  
to:

Customer Number  →

Type Customer Number here



OR

<input type="checkbox"/> Firm or Individual Name	Kevin P. Crosby, Esq.			
Address	BRINKLEY, McNERNEY, MORGAN, SOLOMON & TATUM, LLP			
Address	200 E. Las Olas Blvd., Suite 1900			
City	Ft. Lauderdale	State	FL	ZIP 33301
Country	U.S.A.			
Telephone	(954) 522-2200	Fax	(954) 522-9123	

This form cannot be used to change the data associated with a Customer Number. To change the data associated with an existing Customer Number use "Request for Customer Number Data Change" (PTO/SB/124).

I am the :

Applicant.  
 Assignee of record of the entire interest.  
Certificate under 37 CFR 3.73(b) is enclosed.  
 Attorney or agent of record.

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AUG 27 2002

GROUP 3600

Typed or Printed Name	Kevin P. Crosby, Esq.	
Signature		
Date	8/14/02	

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231  
www.uspto.gov

NOTICE OF ALLOWANCE AND FEE(S) DUE

7590 09/18/2002

Brinkley McNerney Morgan Solomon & Tatum  
200 E Las Olas Blvd Ste 1900  
Ft Lauderdale, FL 33301

EXAMINER

CHEN, JOSE V

ART UNIT CLASS-SUBCLASS

3637 108-020000.

DATE MAILED: 09/18/2002

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/655,767	09/05/2000	Maho Shoji	FUM-03001	9269

TITLE OF INVENTION: XY STAGE

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1280	\$0	\$1280	12/18/2002

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE REFLECTS A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE APPLIED IN THIS APPLICATION. THE PTOL-85B (OR AN EQUIVALENT) MUST BE RETURNED WITHIN THIS PERIOD EVEN IF NO FEE IS DUE OR THE APPLICATION WILL BE REGARDED AS ABANDONED.

HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.  
B. If the status is changed, pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above and notify the United States Patent and Trademark Office of the change in status, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or  
B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check the box below and enclose the PUBLICATION FEE and 1/2 the ISSUE FEE shown above.

Applicant claims SMALL ENTITY status.  
See 37 CFR 1.27.

II. PART B - FEE(S) TRANSMITTAL should be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). Even if the fee(s) have already been paid, Part B - Fee(s) Transmittal should be completed and returned. If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Box ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

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SEP 03 2009  
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PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: Mail Box ISSUE FEE  
Commissioner for Patents  
Washington, D.C. 20231  
Fax (703)746-4000

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 4 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Legibly mark-up with any corrections or use Block 1)

7590 09/18/2002

Brinkley McNerney Morgan Solomon & Tatum  
200 E Las Olas Blvd Ste 1900  
Ft Lauderdale, FL 33301

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s). Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

Certificate of Mailing or Transmission  
I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Box Issue Fee address above, or being facsimile transmitted to the USPTO, on the date indicated below.

(Depositor's name)  
(Signature)  
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/655,767	09/05/2000	Maho Shoji	FUM-03001	9269

TITLE OF INVENTION: XY STAGE

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1280	\$0	\$1280	12/18/2002

EXAMINER	ART UNIT	CLASS-SUBCLASS
CHEN, JOSE V	3637	108-020000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).  <input type="checkbox"/> Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.  <input type="checkbox"/> "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.	2. For printing on the patent front page, list (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.
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3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. Inclusion of assignee data is only appropriate when an assignment has been previously submitted to the USPTO or is being submitted under separate cover. Completion of this form is NOT a substitute for filing an assignment.  
(A) NAME OF ASSIGNEE  
(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent)  individual  corporation or other private group entity  government

4a. The following fee(s) are enclosed:

Issue Fee  
 Publication Fee  
 Advance Order - # of Copies \_\_\_\_\_

4b. Payment of Fee(s):

A check in the amount of the fee(s) is enclosed.  
 Payment by credit card. Form PTO-2038 is attached.  
 The Commissioner is hereby authorized by charge the required fee(s), or credit any overpayment, to Deposit Account Number \_\_\_\_\_ (enclose an extra copy of this form).

Commissioner for Patents is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above.

(Authorized Signature)

(Date)

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, D.C. 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMIT THIS FORM WITH FEE(S)

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09/655,767	09/05/2000	Maho Shoji	FUM-03001	9269
7590	09/18/2002		EXAMINER	
Brinkley McNerney Morgan Solomon & Tatum 200 E Las Olas Blvd Ste 1900 Ft Lauderdale, FL 33301			CHEN, JOSE V	
			ART UNIT	PAPER NUMBER
			3637	
			DATE MAILED: 09/18/2002	

**Determination of Patent Term Adjustment under 35 U.S.C. 154 (b)**  
(application filed on or after May 29, 2000)

The patent term adjustment to date is 93 days. If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the term adjustment will be 93 days.

If a continued prosecution application (CPA) was filed in the above-identified application, the filing date that determines patent term adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) system. (<http://pair.uspto.gov>)

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UNITED STATES			ART UNIT	PAPER NUMBER
3637				

DATE MAILED: 09/18/2002

Notice of Possible Fee Increase on October 1, 2002

If a reply to a "Notice of Allowance and Fee(s) Due" is filed in the Office on or after October 1, 2002, then the amount due may be higher than that set forth in the "Notice of Allowance and Fee(s) Due" since there may be an increase in fees effective on October 1, 2002. See Revision of Patent and Trademark Fees for Fiscal Year 2003: Notice of Proposed Rulemaking, 67 Fed. Reg. 30634, 30636 (May 7, 2002). Although a change to the amount of the publication fee is not currently proposed for October 2002, if the issue fee or publication fee is to be paid on or after October 1, 2002, applicant should check the USPTO web site for the current fees before submitting the payment. The USPTO Internet address for the fee schedule is: <http://www.uspto.gov/main/howtofees.htm>.

If the issue fee paid is the amount shown on the "Notice of Allowance and Fee(s) Due," but not the correct amount in view of any fee increase, a "Notice to Pay Balance of Issue Fee" will be mailed to applicant. In order to avoid processing delays associated with mailing of a "Notice to Pay Balance of Issue Fee," if the response to the Notice of Allowance and Fee(s) due form is to be filed on or after October 1, 2002 (or mailed with a certificate of mailing on or after October 1, 2002), the issue fee paid should be the fee that is required at the time the fee is paid. If the issue fee was previously paid, and the response to the "Notice of Allowance and Fee(s) Due" includes a request to apply a previously-paid issue fee to the issue fee now due, then the difference between the issue fee amount at the time the response is filed and the previously paid issue fee should be paid. See Manual of Patent Examining Procedure, Section 1308.01 (Eighth Edition, August 2001).

Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at (703) 305-8283.

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Notice of Allowability	Application No.	Applicant(s)
	09/655,767	SHOJI ET AL
	Examiner	Art Unit
	José V. Chen	3637

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--  
All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS. This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1.  This communication is responsive to papers filed 08-22-02.
2.  The allowed claim(s) is/are 1-8, 19, 20, 7-13, 15, 17, 21, 14, 16, 18, 22, 23 renumbered 1-23, respectively.
3.  The drawings filed on 05 September 2000 are accepted by the Examiner.
4.  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a)  All    b)  Some\*    c)  None    of the:
  1.  Certified copies of the priority documents have been received.
  2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3.  Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- \* Certified copies not received: \_\_\_\_\_.
5.  Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
(a)  The translation of the foreign language provisional application has been received.
6.  Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

7.  A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
8.  CORRECTED DRAWINGS must be submitted.  
(a)  Including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached  
1)  hereto or 2)  to Paper No. \_\_\_\_\_.  
(b)  including changes required by the proposed drawing correction filed \_\_\_\_\_, which has been approved by the Examiner.  
(c)  including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No. \_\_\_\_\_.

Identifying Indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the top margin (not the back) of each sheet. The drawings should be filed as a separate paper with a transmittal letter addressed to the Official Draftsperson.

9.  DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

<input type="checkbox"/> Notice of References Cited (PTO-892)	<input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
<input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	<input type="checkbox"/> Interview Summary (PTO-413), Paper No. _____
<input type="checkbox"/> Information Disclosure Statements (PTO-1449), Paper No. _____	<input type="checkbox"/> Examiner's Amendment/Comment
<input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material	<input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance
	<input type="checkbox"/> Other

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Application/Control Number: 09/655,767  
Art Unit: 3637

Page 2

**REASONS FOR ALLOWANCE**

The following is an examiner's statement of reasons for allowance: The prior art of record does not teach or suggest an XY stage including movable table and base, a first linear motor coupled to the table and base which gives a driving force in the x direction to the table at the same height as the center of gravity of a movable section composed of the table and work member, a second linear motor coupled to the table and base which gives a driving force in the y direction to the table at the same height as the center of gravity of the movable section. There is no motivation or suggestion to mount the motors at the specific locations. Further, claim 1 is generic and allowable. Accordingly, the restriction requirement as to the encompassed species is hereby withdrawn and claims 5-12, directed to another are no longer withdrawn from consideration since all of the claims to this species depend from or otherwise include each of the limitations of an allowed generic claim.

In view of the above noted withdrawal of the restriction requirement as to the linked species, applicant(s) are advised that if any claim(s) depending from or including all the limitations of the allowable generic linking claim(s) be presented in a continuation or divisional application, such claims may be subject to provisional statutory and/or nonstatutory double patenting rejections over the claims of the instant application. Once a restriction requirement is withdrawn, the provisions of 35 U.S.C. 121 are no longer applicable. See *In re Ziegler*, 44 F.2d 1211, 1215, 170 USPQ 129, 131-32 (CCPA 1971). See also MPEP § 804.01.

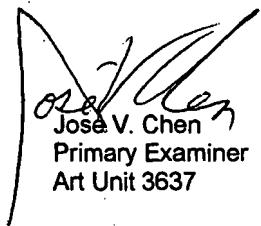
Claims 1-23 are allowable over the prior art of record.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to José V. Chen whose telephone number is (703) 308-3229. The examiner can normally be reached on m-f, m-th 5:30am-3:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lanna Mai can be reached on (703)308-2168. The fax phone numbers for the organization where this application or proceeding is assigned are (703)872-9326 for regular communications and (703)872-9327 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)308-2168.

  
José V. Chen  
Primary Examiner  
Art Unit 3637

Chen/jvc  
September 17, 2002

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09/655,767	09/05/2000	Maho Shoji	FUM-03001	9269

7590 02/03/2003

Brinkley McNerney Morgan Solomon & Tatum  
200 E Las Olas Blvd Ste 1900  
Ft Lauderdale, FL 33301

EXAMINER

CHEN, JOSE V

ART. UNIT	PAPER NUMBER
3637	PH-12

DATE MAILED: 02/03/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

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APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
09/655,767			

EXAMINER

ART UNIT	PAPER NUMBER
	P#12

DATE MAILED:

NOTICE OF ABANDONMENT

This application is abandoned in view of:

Applicant's failure to timely file a proper response to the Office letter mailed on \_\_\_\_\_.

A response (with a Certificate of Mailing or Transmission of \_\_\_\_\_) was received on \_\_\_\_\_, which is after the expiration of the period for response (including a total extension of time of \_\_\_\_\_ month(s)) which expired on \_\_\_\_\_.

A proposed response was received on \_\_\_\_\_, but it does not constitute a proper response to the final rejection.

(A proper response to a final rejection consists only of: a timely filed amendment which places the application in condition for allowance; a Notice of Appeal; or the filing of a continuing application under 37 CFR 1.62 (FWC).)

No response has been received.

Applicant's failure to timely pay the required issue fee within the statutory period of three months from the mailing date of the Notice of Allowance.

The issue fee (with a Certificate of Mailing or Transmission of \_\_\_\_\_) was received on \_\_\_\_\_.

The submitted issue fee of \$ \_\_\_\_\_ is insufficient. The issue fee required by 37 CFR 1.18 is \$ \_\_\_\_\_.

The issue fee has not been received.

Applicant's failure to timely file new formal drawings as required in the Notice of Allowability.

Proposed new formal drawings (with a Certificate of Mailing or Transmission of \_\_\_\_\_) were received on \_\_\_\_\_.

The proposed new formal drawings filed \_\_\_\_\_ are not acceptable.

No proposed new formal drawings have been received.

The express abandonment under 37 CFR 1.62(g) in favor of the FWC application filed on \_\_\_\_\_.

The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.

The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.

The decision by the Board of Patent Appeals and Interferences rendered on \_\_\_\_\_ and because the period for seeking court review of the decision has expired and there are no allowed claims.

The reason(s) below:

ABANDONMENT  
CONTACT PERSON IS:  
TOM HAWKINS  
305-8380